

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA

v.

**MARK NUTTER,
Defendant**

05-CR-10136-RGS

MOTION FOR RELEASE PENDING APPEAL

Now comes counsel for the defendant and, pursuant to 18 U. S. C. 3143 (b), respectfully requests that the defendant be released pending the appeal of his conviction.

In support of this motion counsel states that the defendant is not a flight risk and that the defendant does not pose a danger to the community or to any other person.

/s/ Stephen J. Weymouth

65a Atlantic Avenue
Boston, MA 02110
617-573-9598
BBO #523680

CERTIFICATE OF SERVICE

I, Stephen J. Weymouth, hereby certify that a true copy of the foregoing motion was served upon Assistant United States Attorney, William Connolly, by ECF on February 8, 2008.

/s/ Stephen J. Weymouth